

Message Text

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ACTION L-02

INFO OCT-01 EUR-12 ISO-00 TRSE-00 SS-15 SP-02 NSC-05 SSO-00

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R 021543Z MAY 75

FM AMEMBASSY BONN

TO SECSTATE WASHDC 9794

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DEPARTMENT PASS TREASURY FOR INFORMATION

E.O. 11652: N/A

TAGS: SNAR, GW

SUBJECT: US-FRG AGREEMENT FOR MUTUAL ASSISTANCE
BETWEEN CUSTOMS SERVICES

REF: BONN 3378, MARCH 1, 1974

STATE FOR L/T

1. THE SUBJECT INTERGOVERNMENTAL AGREEMENT, WHICH WAS SIGNED ON BEHALF OF BOTH GOVERNMENTS AT WASHINGTON AUGUST 23, 1973, PROVIDES IN ARTICLE 19(1) THAT IT SHALL ENTER INTO FORCE ONE MONTH FROM THE DATE ON WHICH THE PARTIES SHALL HAVE INFORMED EACH OTHER IN AN EXCHANGE OF DIPLOMATIC NOTES THAT ALL THE NATIONAL LEGAL REQUIREMENTS FOR SUCH ENTRY INTO FORCE SHALL HAVE BEEN COMPLETED.

2. THE FRG FOREIGN OFFICE HAS INFORMALLY NOTIFIED THE EMBASSY THAT THE FEDERAL GOVERNMENT AS OF MID-APRIL COMPLETED SUCH NATIONAL LEGAL REQUIREMENTS, AND IT IS EXPECTED TO BRING THIS AGREEMENT INTO FORCE DURING THE WEEK OF JUNE 16 WHEN US COMMISSIONER OF CUSTOMS ACREE IS TO VISIT IN BONN WITH HIS FRG COUNTERPART. SOME FORM OF CEREMONY IS PLANNED TO NOTE THE
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COMING INTO FORCE OF THIS AGREEMENT DURING THAT VISIT.

3. THE EMBASSY HAS RECEIVED FROM THE FRG FONOFF THE PROPOSED OPERATIVE LANGUAGE IN AN EXCHANGE OF NOTES VERBALE BETWEEN THE FOREIGN OFFICE AND THIS EMBASSY TO BRING THIS AGREEMENT INTO FORCE. THE TWO OPERATIVE PARAGRAPHS READ:

BEGIN QUOTE

THE LAW WITH RESPECT TO THE AGREEMENT OF AUGUST 23, 1973 BETWEEN THE FRG AND THE USA CONCERNING MUTUAL ASSISTANCE BETWEEN CUSTOMS SERVICES WAS PROMULGATED ON APRIL 16, 1975 IN THE BUNDESGESETZBLATT, PART II. THUS, THE INTERNAL GERMAN LEGAL REQUIREMENTS FOR THE ENTRY INTO FORCE OF THE AGREEMENT HAVE BEEN FULFILLED.

PURSUANT TO ARTICLE 19 OF THE AGREEMENT IT SHALL COME INTO FORCE ONE MONTH AFTER THE DATE ON WHICH THE GOVERNMENTS HAVE INFORMED EACH OTHER IN AN EXCHANGE OF DIPLOMATIC NOTES THAT ALL NATIONAL LEGAL REQUIREMENTS FOR SUCH ENTRY INTO FORCE HAVE BEEN FULFILLED. END QUOTE.

4. THE EMBASSY REQUESTS AUTHORITY TO RESPOND TO A FOREIGN OFFICE NOTE VERBALE CONTAINING THE ABOVE QUOTED LANGUAGE BY AN EMBASSY NOTE VERBALE OF THE SAME DATE REPEATING SUCH LANGUAGE AND CONFIRMING THE COMING INTO FORCE OF THE AGREEMENT ONE MONTH AFTER THE DELIVERY OF THE EMBASSY REPLY NOTE VERBALE. ACTION RESPONSIBILITY IN TREASURY RESTS WITH JOHN B. O'LOUGHLIN, DIRECTOR, INTERNATIONAL OPERATIONS DIVISION.

5. ACTION REQUESTED: AUTHORITY FOR THE EMBASSY TO SEND THE ABOVE-MENTIONED REPLY NOTE VERBALE. SUCH AUTHORITY IS REQUESTED BY COB MAY 9, 1975, TO ENABLE THE ACTUAL EXCHANGE OF NOTES TO TAKE PLACE NO LATER THAN MAY 16, I.E., ONE MONTH BEFORE COMMENCEMENT OF THE PLANNED ACREE VISIT TO BONN. HILLENBRAND

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